

AMENDMENT TO H.R. 5620
OFFERED BY MR. KILMER OF WASHINGTON

Page 54, after line 2, insert the following:

1 **SEC. 11. MANAGEMENT AND ACCOUNTABILITY OMBUDS-**
2 **MAN.**

3 (a) IN GENERAL.—Chapter 3 of title 38, United
4 States Code, is amended by inserting after section 312A
5 the following new section:

6 **“§ 312B. Management and accountability ombudsman**

7 “(a) IN GENERAL.—(1) There is in the Department
8 an Office of the Management and Accountability Ombuds-
9 man (in this section referred to as the ‘Office’). There is
10 at the head of the Office an Ombudsman, who shall be
11 appointed by the President from among individuals with
12 a background in enterprise risk management.

13 “(2) The Ombudsman shall report directly to the Sec-
14 retary but the Secretary may not prevent or prohibit the
15 Ombudsman from initiating, carrying out, or completing
16 any responsibility of the Ombudsman.

17 “(3) The Secretary shall determine the appropriate
18 level of staffing and distribution of responsibility to ensure
19 the success of the Office.

1 “(4) The President shall include in the budget trans-
2 mitted to the Congress for each fiscal year pursuant to
3 section 1105 of title 31 an estimate of the amount for
4 the Office that is sufficient to provide for a number of
5 full-time positions in the Office.

6 “(b) RESPONSIBILITIES.—The Ombudsman shall—

7 “(1) receive and address reports from employ-
8 ees and employee representatives of the Veterans
9 Health Administration Affairs and assist in resolv-
10 ing problems with the management, administration,
11 and delivery of care of the Veterans Health Agency;

12 “(2) communicate to the Secretary the observa-
13 tions and findings received pursuant to paragraph
14 (1);

15 “(3) conduct inspections of medical facilities of
16 the Veterans Health Administration, including non-
17 Department facilities that provide care pursuant to
18 a contract entered into under chapter 17 of this title
19 as necessary;

20 “(4) establish a program under which the Om-
21 budsman and the Secretary shall—

22 “(A) provide incentives to employees of the
23 Veterans Health Administration who suggest
24 methods to improve the management and oper-
25 ations of the Veterans Health Administration;

1 “(B) carry out in a pilot program the sug-
2 gestions that are likely to be successful; and

3 “(C) if such a pilot program demonstrates
4 that a suggestion causes a marked improvement
5 in such management and operations—

6 “(i) reward the employee who made
7 such suggestion; and

8 “(ii) carry out such suggestion
9 throughout the Veterans Health Adminis-
10 tration; and

11 “(5) not less frequently than once each calendar
12 quarter, provide to the Secretary a summary and
13 relevant statistics concerning the activities and find-
14 ings of the Ombudsman, including a summary of the
15 suggestions made and carried out pursuant to para-
16 graph (4).

17 “(c) REQUEST FOR INVESTIGATIONS.—The Ombuds-
18 man may request the Inspector General of the Department
19 to conduct an inspection, investigation, or audit. Upon
20 such a request, the Inspector General shall respond to the
21 Ombudsman explaining the plan of the Inspector General
22 to comply with such request or the rationale of the Inspec-
23 tor General for denying such request.

24 “(d) COORDINATION.—The Secretary shall ensure
25 that each element of the Department has procedures to

1 provide the Ombudsman with formal responses to any rec-
2 ommendation submitted by the Ombudsman to the head
3 of such element.

4 “(e) ANNUAL REPORTS.—Not later than June 30 of
5 each year, the Ombudsman shall submit to the Commit-
6 tees on Veterans’ Affairs of the Senate and the House of
7 Representatives a report on the objectives of the Ombuds-
8 man for the fiscal year beginning in such calendar year.
9 Each report shall—

10 “(1) contain a full and substantive analysis, in
11 addition to statistical information; and

12 “(2) set forth any recommendations the Om-
13 budsman has made on improving the management
14 and accountability of the employees of the Depart-
15 ment and any responses received under subsection
16 (d) with respect to the estimates described in section
17 117(b) of this title.

18 “(f) RISK MANAGEMENT DEFINED.—In this section,
19 the term ‘risk management’ means the processes that are
20 used to identify, assess, monitor, mitigate, and report on
21 risks to achieving a the mission, goals, and objectives of
22 a department, agency, or program using resources and
23 processes appropriate to the nature of risks and resources
24 available.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of such chapter is amended by inserting
3 after the item relating to section 312A the following new
4 item:

“312B. Management and Accountability Ombudsman.”.

5 (c) COMPTROLLER GENERAL REPORTS.—The Comp-
6 troller General of the United States shall review each
7 budget of the President submitted to Congress under sec-
8 tion 1105 of title 31 during 2015 through 2020 to evalu-
9 ate the proposed budget for health care provided by the
10 Secretary of Veterans Affairs. The Comptroller General
11 shall submit to the Committees on Veterans’ Affairs of
12 the Senate and the House of Representatives a report con-
13 taining the results of each such review, at such times and
14 with such additional matters as the Comptroller General
15 determines appropriate in consultation with such commit-
16 tees.

